IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

OP.No. 9371 of 1996(N)

PETITIONER:

MEETHALE ILLATH SHANKARAN NAMBOODIRI,
S/O.NARAYANAN, POST ANAND ASHRAMAM,
KANHANGAD, KASARAGOD-671 531.

BY ADV. SRI.M.RAMESH CHANDER
SRI.V.RAMKUMAR NAMBIAR

RESPONDENTS:
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1. THE COMMISSIONER, HINDU RELIGIOUS AND CHARITABLE ENDOWMENT BOARD, KOZHIKODE.

2. ASSISTANT COMMISSIONER, H.R. & C.E. BOARD, KANHANGAD.

3. PULLOOR VISHNU MANGALAM TEMPLE, PULLOOR VILLAGE, REPRESENTED BY ITS EXECUTIVE OFFICER.

BY ADV. SRI.K.KESAVANKUTTY
BY GOVERNMENT PLEADER MR.M.R.SABU

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 23/3/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO.47683/1999 IN O.P.NO.9371/1996-N

CLOSED

SD/- K.S.RDAHAKRISHNAN, Ag.CHIEF JUSTICE
23.3.2007 SD/- M.N.KRISHNAN, JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE REPRESENTATION SENT BY THE PETITIONER TO THE SECOND RESPONDENT.

EXT.P2 PHOTOSTAT COPY OF THE COMMUNICATION DATED 8.12.1995 RECEIVED FROM THE CHIEF MINISTER'S OFFICE.

RESPONDENTS' EXHIBITS:

EXT.R3(A) TRUE COPY OF THE ACQUITTANCE REGISTER FOR A PERIOD FROM 21.11.1987 TO 1.9.1992 MAINTAINED BY THE 3RD RESPONDENT.

EXT.R3(B) TRUE COPY OF THE MINUTES DATED 18.9.1991 OF THE BOARD OF TRUSTEES OF PULLUR VISHNU MANGALAM TEMPLE, PULLUR.

EXT.R3(C) TRUE COPY OF THE ACQUITTANCE ROLL OF THE ESTABLISHMENT OF VISHNUMANGALAM TEMPLE MAINTAINED BY THE 3RD RESPONDENT.

/ TRUE COPY /

K.S.RADHAKRISHNAN, Ag.C.J. &
M.N.KRISHNAN, J.

O.P.No.9371 of 1996

Dated, this the 23rd day of March, 2007

JUDGMENT

Radhakrishnan, Ag.C.J.

This original petition was preferred by a Santhikaran of the Pulloor Vishnu Mangalam Temple seeking a writ of mandamus directing respondents 1 and 2 to pay his pay from July, 1989 to 31.5.1996 and the festival allowance for the said period and also the amount of the pooja articles purchased by him for the purpose of conducting pooja in the temple from January 1990 to April, 1994 and also for consequential reliefs.

2. A counter affidavit has been filed on behalf of the third respondent stating that only an amount of Rs.9400/- was due to the petitioner. On the basis of the said statement an interim order was passed as early as on 12.11.1999 directing the third respondent to pay that amount. Later the third respondent filed C.M.P.No.6024 of 2000 for modification of that order to pay only Rs.4750/- as the balance of the admitted arrears to the petitioner. That application was dismissed. We think that the

amount as directed by this Court in C.M.P.No.47683 of 1999 must have been disbursed by now. We are of the view, if any balance amount is due to the petitioner, he may make a representation to the third respondent, in which event the respondent shall take note of the same and pass appropriate orders in accordance with law within a period of one month from the date of receipt of a copy of this judgment.

Original petition is disposed of as above.

K.S.RADHAKRISHNAN,
Ag.CHIEF JUSTICE.

M.N.KRISHNAN,
JUDGE.

vns